

**§ 301.78-8 Attachment and disposition of certificates and limited permits.**

(a) A certificate or limited permit required for the interstate movement of a regulated article, at all times during the interstate movement, must be attached to the outside of the container containing the regulated article, attached to the regulated article itself if not in a container, or attached to the consignee's copy of the accompanying waybill: *Provided however*, that the requirements of this section may be met by attaching the certificate or limited permit to the consignee's copy of the waybill only if the regulated article is sufficiently described on the certificate or limited permit and on the waybill to identify the regulated article.

(b) The certificate or limited permit for the interstate movement of a regulated article must be furnished by the carrier to the consignee at the destination of the regulated article.

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**§ 301.78-9 Costs and charges.**

The services of the inspector during normal business hours (8 a.m. to 4:30 p.m., Monday through Friday, except holidays) will be furnished without cost. The user will be responsible for all costs and charges arising from inspection and other services provided outside of normal business hours.

**§ 301.78-10 Treatments.**

Treatment schedules listed in the Plant Protection and Quarantine Treatment Manual to destroy Mediterranean fruit fly are authorized for use on regulated articles. The Plant Protection and Quarantine Treatment Manual is incorporated by reference. For the full identification of this standard, see § 300.1 of this chapter, "Materials incorporated by reference." The following treatment may be used for bell pepper, tomato, and soil:

(a) Fruits and vegetables.

(1) *Bell Pepper*—(i) *Vapor Heat*. Heat by saturated water vapor at 44.4°C. (112 °F.) until approximate center of bell pepper reaches 44.4 °C. (112 °F.). Maintain at 44.4 °C. (112 °F.) for 8¾ hours, then immediately cool.

(2) *Tomato*—(i) *Fumigation*. Fumigate with methyl bromide at normal atmospheric pressure with 32 g/m<sup>3</sup> (2 lb/1000 ft<sup>3</sup>) for 3½ hours at 21 °C. (70 °F.) or above.

(ii) *Vapor heat*. Heat by saturated water vapor at 44.4 °C. (112 °F.) until approximate center of tomato reaches 44.4 °C. (112 °F.). Maintain at 44.4 °C. (112 °F.) for 8¾ hours, then immediately cool.

NOTE.—Commodities should be tested by the shipper to determine each commodity's tolerance to the treatment before commercial shipments are attempted. The USDA is not liable for damages caused by this quarantine.

(b) *Regulated citrus fruit that has been harvested*. (1) Fumigation with methyl bromide at normal atmospheric pressure with 32 g/m<sup>3</sup> (2 pounds per 1000 cubic feet) for 3½ hours at 21 °C. (70 °F.) or above.

NOTE: Some varieties of fruit may be injured by methyl bromide exposure. Shippers should test treat before making commercial shipments.

(2) Fumigation plus refrigeration: Fumigation with methyl bromide at normal atmospheric pressure with 32 g/m<sup>3</sup> (2 pounds per 1000 cubic feet) at 21 °C. (70 °F.) or above.

Fumigation exposure time	Refrigeration
2 hours .....	4 days at 0.55 to 0.7 °C. (33 to 37 °F.); or 11 days at 3.33 to 8.3 °C. (38 to 47 °F.).
2½ hours .....	4 days at 1.11 to 4.44 °C. (34 to 40 °F.); or 6 days at 5.0 to 8.33 °C. (41 to 47 °F.); or 10 days at 8.88 to 13.33 °C. (48 to 56 °F.).
3 hours .....	3 days at 6.11 to 8.33 °C. (43 to 47 °F.); or 6 days at 9.88 to 13.33 °C. (48 to 56 °F.).

NOTE: Some varieties of fruit may be injured by methyl bromide exposure. Shippers should test treat before making commercial shipments.

Time lapse between fumigation and start of cooling not to exceed 24 hours. Chamber load not to exceed 80 percent of volume.

(3) Cold treatment: 10 days at 0 °C. (32 °F.) or below; or 11 days at 0.55 °C. (33 °F.) or below; 12 days at 1.11 °C (34 °F.) or below; 14 days at 1.66 °C. (35 °F.) or below; or 16 days at 2.22 °C. (36 °F.) or below.

(c) *Premises*. A field, grove, or area that is located within the quarantined

area but outside the infested core area, and that produces regulated articles, must receive regular treatments with malathion bait spray. These treatments must take place at 6 to 10-day intervals, starting a sufficient time before harvest (but not less than 30 days before harvest) to allow for completion of egg and larvae development of the Mediterranean fruit fly. Determination of the time period must be based on day degrees. Once treatment has begun, it must continue through the harvest period. The malathion bait spray treatment must be applied at a rate of 1.2 fluid ounces of technical grade malathion (1.4 ounces by weight) and 10.8 fluid ounces of protein hydrolysate (13.2 ounces by weight) per acre, for a total of 12 fluid ounces per acre.

(d) *Soil.* Soil within the drip area of plants that are producing or have produced the berries, fruits, nuts, and vegetables listed in §301.78–2(a) of this subpart: Apply diazinon at the rate of 5 pounds actual ingredient per acre to the soil within the drip area with sufficient water to wet the soil to a depth of at least ½ inch. Both immersion and pour-on treatment procedures are also acceptable.

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### Subpart—Witchweed

#### QUARANTINE AND REGULATIONS

#### **§301.80 Quarantine; restriction on interstate movement of specified regulated articles.**

(a) *Notice of quarantine.* Pursuant to the provisions of sections 8 and 9 of the Plant Quarantine Act of August 20, 1912, as amended, and section 106 of the Federal Plant Pest Act (7 U.S.C. 161, 162, 150ee), the Secretary of Agriculture heretofore determined, after public hearing, that it was necessary to quarantine the States of North Carolina and South Carolina, in order to prevent the spread of witchweed (*Striga* spp.), a parasitic plant which causes a dangerous disease of corn, sorghum, and other crops of the grass family, not

theretofore widely prevalent or distributed within and throughout the United States, and accordingly quarantined said States. Under the authority of said provisions, the Secretary hereby continues such quarantine in effect with respect to the interstate movement from the quarantined States of the articles described in paragraph (b) of this section, issues the regulations in this subpart governing such movement, and gives notice of said quarantine and regulations.

(b) *Quarantine restrictions on interstate movement of specified regulated articles.* No common carrier or other person shall move interstate from any quarantined State any of the following articles (defined in §301.80–1(p) as regulated articles), except in accordance with the conditions prescribed in this subpart:

- (1) Soil, compost, peat, humus, muck, and decomposed manure, separately or with other things; sand; and gravel.
- (2) Plants with roots.
- (3) Grass sod.
- (4) Plant crowns and roots for propagation.
- (5) True bulbs, corms, rhizomes, and tubers of ornamental plants.
- (6) Root crops, except those from which all soil has been removed.
- (7) Peanuts in shells and peanut shells, except boiled or roasted peanuts.
- (8) Small grains and soybeans.
- (9) Hay, straw, fodder, and plant litter of any kind.
- (10) Seed cotton and gin trash.
- (11) Stumpwood.
- (12) Long green cucumbers, cantaloupes, peppers, squash, tomatoes, and watermelons, except those from which all soil has been removed.
- (13) Pickling cucumbers, string beans, and field peas.
- (14) Cabbage, except firm heads with loose outer leaves removed.
- (15) Leaf tobacco, except flue-cured leaf tobacco.
- (16) Ear corn, except shucked ear corn.
- (17) Sorghum.
- (18) Used crates, boxes, burlap bags, and cotton-picking sacks, and other used farm products containers.
- (19) Used farm tools.